

Remarks/Arguments:

Claim Status

Claims 1, 3-10 and 12-14 are currently pending. Claims 2 and 11 have been cancelled without prejudice or disclaimer of the subject matter thereof. Independent claim 1 has been amended. Support for the amendments to claim 1 may be found, for example, throughout the originally filed specification and Figures 2 and 4. No new matter has been added.

Claim Rejections Under 35 U.S.C. Section 112

Claim 1 stands rejected under 35 U.S.C. Section 112, second paragraph. Claim 1 has been amended to address the antecedent basis issue identified in the Office Action. Withdrawal of this rejection is respectfully requested.

Claim Rejections Under 35 U.S.C. Section 102

(1) Claims 1-4, 7-9, 13, and 14 stand rejected under 35 U.S.C. Section 102(b) as anticipated by U.S. Patent No. 3,742,945 to Reinhardt. Applicant respectfully requests reconsideration of the rejection of these claims and respectfully submits that these claims are patentable over Reinhardt for the reasons set forth below.

Independent claim 1 recites features that are neither disclosed nor suggested by Reinhardt, namely, "[a] vehicle safety device [including a] front portion having a plurality of releasable straps adapted to receive a vehicle seat belt such that the seat belt can be removably connected to the device by the releasable straps so as to secure the seat belt to the body of the device, wherein at least one releasable strap is mounted to a waist portion of the front portion of the device and at least one releasable strap is mounted to a shoulder portion of the front portion of the device (...) and wherein the releasable strap that is provided at the waist portion of the device is disposed diagonally with respect to a bottom edge of the device."

Contrary to the language of claim 1, Reinhardt's restraining device does not include a releasable strap on its shoulder portion; the strap on the waist portion of Reinhardt's restraining

device is not disposed diagonally with respect to a bottom edge of the restraining device; and Reinhardt's straps are not adapted to receive a vehicle seat belt.

Reinhardt therefore fails to disclose or suggest every element of Applicant's claimed invention, as recited in claim 1. Accordingly, for the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentable over Reinhardt and should be allowed. The dependent claims that stand rejected should also be allowed at least as being dependent upon an allowable base claim. Reconsideration of claims 1, 3, 4, 7-9, 13 and 14 is respectfully requested.

(2) Claims 1, 3-8, 10, 11, 13 and 14 stand rejected under 35 U.S.C. Section 102(b) as anticipated by U.S. Patent No. 4,571,000 to Holder. Applicant respectfully requests reconsideration of the rejection of these claims and respectfully submits that these claims are patentable over Holder for the reasons set forth below.

Independent claim 1 recites features that are neither disclosed nor suggested by Holder, namely, "[a] vehicle safety device [including a] front portion having a plurality of releasable straps adapted to receive a vehicle seat belt such that the seat belt can be removably connected to the device by the releasable straps so as to secure the seat belt to the body of the device, wherein at least one releasable strap is mounted to a waist portion of the front portion of the device and at least one releasable strap is mounted to a shoulder portion of the front portion of the device (...) and wherein the releasable strap that is provided at the waist portion of the device is disposed diagonally with respect to a bottom edge of the device."

Contrary to the language of claim 1, Holder's restraining device does not include a releasable strap on its shoulder portion; the strap on the waist portion of Holder's restraining device is not disposed diagonally with respect to a bottom edge of the restraining device; and Holder's straps are not adapted to receive a vehicle seat belt.

Holder therefore fails to disclose or suggest every element of Applicant's claimed invention, as recited in claim 1. Accordingly, for the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentable over Holder and should be allowed. The dependent claims that stand rejected should also be allowed at least as being dependent upon an allowable base claim. Reconsideration of claims 1, 3-8, 10, 13 and 14 is respectfully requested.

(3) Claims 1, 2, 4-8, 13 and 14 stand rejected under 35 U.S.C. Section 102(b) as anticipated by U.S. Patent No. DE3301385 to Bimboese. Applicant respectfully requests reconsideration of the rejection of these claims and respectfully submits that these claims are patentable over Bimboese for the reasons set forth below.

Independent claim 1 recites features that are neither disclosed nor suggested by Bimboese, namely, "wherein each releasable strap includes a releasable clip coupled to one end thereof that is configured to mate with another clip to retain the seat belt against the safety device." Contrary to the language of claim 1, none of Bimboese's restraining elements (i.e., items 7-10) include a releasable clip that is configured to mate with another clip to retain a seat belt against the safety device.

Bimboese therefore fails to disclose or suggest every element of Applicant's claimed invention, as recited in claim 1. Accordingly, for the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentable over Bimboese and should be allowed. The dependent claims that stand rejected should also be allowed at least as being dependent upon an allowable base claim. Reconsideration of claims 1, 4-8, 13 and 14 is respectfully requested.

(4) Claims 1, 2, 4-8, 13 and 14 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. Patent No. 6,449,770 to Taylor. Applicant respectfully requests reconsideration of the rejection of these claims and respectfully submits that these claims are patentable over Taylor for the reasons set forth below.

Independent claim 1 recites features that are neither disclosed nor suggested by Taylor, namely, "[a] vehicle safety device [including a] front portion having a plurality of releasable straps adapted to receive a vehicle seat belt such that the seat belt can be removably connected to the device by the releasable straps so as to secure the seat belt to the body of the device, wherein at least one releasable strap is mounted to a waist portion of the front portion of the device and at least one releasable strap is mounted to a shoulder portion of the front portion of the device (...) and wherein the releasable strap that is provided at the waist portion of the device is disposed diagonally with respect to a bottom edge of the device."

Contrary to the language of claim 1, Taylor's restraining garment device does not include a releasable strap on its shoulder, and the strap on the waist portion of Taylor's restraining garment device is not disposed diagonally with respect to a bottom edge of the restraining device.

Taylor therefore fails to disclose or suggest every element of Applicant's claimed invention, as recited in claim 1. Accordingly, for the foregoing reasons, Applicant respectfully submits that independent claim 1 is patentable over Taylor and should be allowed. The dependent claims that stand rejected should also be allowed at least as being dependent upon an allowable base claim. Reconsideration of claims 1, 4-8, 13 and 14 is respectfully requested.

Claim Rejection Under 35 U.S.C. Section 103

Claim 12 stands rejected under 35 U.S.C. Section 103(a) as unpatentable over U.S. Patent No. 4,571,000 to Holder in view of U.S. Patent No. 6,449,770 to Taylor. Applicant respectfully requests reconsideration of the rejection of this claim and respectfully submits that this claim is patentable over Holder and Taylor for the reasons set forth below.

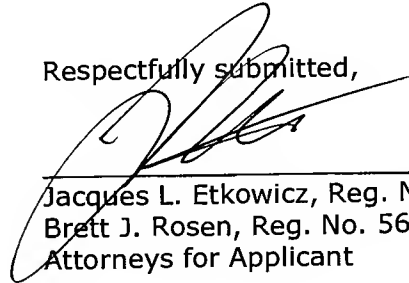
Claim 12 depends from independent claim 1 and includes all of the limitations thereof. As explained above, claim 1 recites features that are neither disclosed nor suggested by Holder and Taylor, namely, "[a] vehicle safety device [including a] front portion having a plurality of releasable straps adapted to receive a vehicle seat belt such that the seat belt can be removably connected to the device by the releasable straps so as to secure the seat belt to the body of the device, wherein at least one releasable strap is mounted to a waist portion of the front portion of the device and at least one releasable strap is mounted to a shoulder portion of the front portion of the device (...) and wherein the releasable strap that is provided at the waist portion of the device is disposed diagonally with respect to a bottom edge of the device."

Accordingly, because claim 1 includes features that are neither disclosed nor suggested by the cited references, *prima facie* obviousness cannot be established based on the cited references. Reconsideration of claim 12, which depends from claim 1 and includes all of the limitations thereof, is respectfully requested.

Conclusion

In view of the remarks set forth above, Applicant respectfully submits that this application is now in condition for allowance, which action is respectfully requested. If the Examiner believes an interview will advance the prosecution of this application, it is respectfully requested that the Examiner contact the undersigned to arrange the same.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "J. Etkowicz", is written over a horizontal line.

Jacques L. Etkowicz, Reg. No. 41,738
Brett J. Rosen, Reg. No. 56,047
Attorneys for Applicant

JLE/BJR/ap

Dated: June 1, 2010

P.O. Box 980
Valley Forge, PA 19482-0980
(610) 407-0700